

IFW



PATENT
Customer No. 22,852
Attorney Docket No. 03495.0320-01000
(Formerly 05394.0011-01000)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
COLE et al.) Group Art Unit: 1634
)
Application No.: 10/802,796) Examiner: Unassigned
)
Filed: March 18, 2004)
)
For: A METHOD FOR ISOLATING A)
POLYNUCLEOTIDE OF)
INTEREST FROM THE GENOME)
OF A MYCOBACTERIUM USING)
A BAC-BASED DNA LIBRARY,)
APPLICATION TO THE)
DETECTION OF)
MYCOBACTERIA)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING SEQUENCE DISCLOSURES**

On information and belief, the paper copy of the Sequence Listing co-filed in this application, is identical to the computer readable copy of the Sequence Listing filed in Application No. 09/673,476, on October 16, 2000. In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in the application number and filing date for the instant application.

Applicants note that they filed a Substitute Specification on March 18, 2004, which referenced the SEQ ID NOS contained in the currently filed sequence listing.

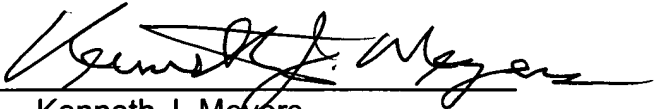
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 15, 2004

By: 

Kenneth J. Meyers
Reg. No. 25,146
Phone: (202) 408-4000
Fax: (202) 408-4400
E-mail: ken.meyers@finnegan.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/802,796	03/18/2004	Stewart Cole	05394.0011-01000

CONFIRMATION NO. 6307

22852
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
1300 I STREET, NW
WASHINGTON, DC 20005

FORMALITIES LETTER



OC000000012695021

Date Mailed: 05/18/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

RECEIVED

MAY 20 2004

Replies should be mailed to: Mail Stop Missing Parts

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

B-4

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY